

**IN THE UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF TEXAS  
VICTORIA DIVISION**

<b>In re:</b>  <b>Q'Max America, Inc., et al<sup>1</sup></b>  <b>Debtors.</b>	§ § § § §	<b>Chapter 7</b>  <b>Case No. 20-60030-CML</b>  <b>Jointly Administered</b>
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**ORDER GRANTING TRUSTEE'S MOTION PURSUANT TO BANKRUPTCY RULE  
9019 FOR ENTRY OF AN ORDER APPROVING COMPROMISE AND SETTLEMENT  
WITH NABARRETTE, LLC, d/b/a SILVERBACK TRANSPORT AND ALICE  
NABARRETTE CASTILLO, AND MCDOWELL HETHERINGTON'S APPLICATION  
FOR PAYMENT OF CONTINGENCY FEE**

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(Relates to Doc. No. \_\_\_\_\_)

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**CAME FOR CONSIDERATION** on the *Motion Pursuant to Bankruptcy Rule 9019 for Entry of an Order Approving Compromise and Settlement with Nabarrette, LLC, d/b/a Silverback Transport and Alice Nabarrette Castillo, and McDowell Hetherington's Application for Payment of Contingency Fee* filed by Trustee.<sup>2</sup> After considering the Motion, all responses thereto, the arguments of counsel and the evidence presented, if any, the Court is of the opinion and finds that: (i) notice of the Motion was in all respects adequate and proper; (ii) the Motion has merit, meets the standard set forth in *Protective Committee's for Independent Stockholders of TMT Trailer Ferry, Inc. v. Anderson*,<sup>3</sup> (iii) the proposed compromise between Trustee, Silverback, and Castillo, as recited in the Motion and as set forth herein, should in all things be approved accordingly, it is hereby:

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<sup>1</sup> The Debtors in these cases, along with the last four digits of each Debtor's federal tax identification numbers are: Q'Max America Inc. (2319) and Anchor Drilling Fluids USA, LLC (5395).

<sup>2</sup> Defined terms utilized herein shall have the same meaning ascribed to them in the Motion.

<sup>3</sup> 390 U.S. 414 (1967).

**ORDERED** the Motion is Granted in its entirety; it is further

**ORDERED** the Settlement Agreement attached as Exhibit A to the Motion is Approved, and the terms thereof shall be binding upon the Trustee, Silverback, and Castillo; it is further

**ORDERED** that Silverback will pay the Trustee \$30,000.00, as provided under the Settlement Agreement.

**ORDERED** that McDowell Hetherington is awarded compensation in the amount of \$10,500.00 and reimbursement of approved expenses of \$359.53 in connection with this settlement; and it is further

**ORDERED** that the Trustee is authorized to pay the compensation and fees awarded in this Order as a chapter 7 administrative expense only upon Trustee's receipt of the settlement payment due under the Settlement Agreement;

**ORDERED** that that upon entry of this Order on the docket, the Clerk shall simultaneously docket this Order in Adversary No. 22-06017;

**ORDERED** that Adversary No. 22-06017 is dismissed with prejudice; and it is further

**ORDERED** the Court shall retain jurisdiction as to the enforcement of this Order.

**SIGNED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.**

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**Christopher M. Lopez,  
United States Bankruptcy Judge**